IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

| RONALD ACREMAN | § | |
|--------------------|----------|---------------------------|
| VS. | § | CIVIL ACTION NO. 1:04cv63 |
| MARK MILLER, ET AL | § | |

MEMORANDUM ORDER ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Ronald Acreman, proceeding *pro se*, filed the above-styled civil rights lawsuit. The court referred the matter to the Honorable Earl S. Hines, United States Magistrate Judge, for consideration pursuant to applicable orders of this court.

The defendants have filed a motion for summary judgment. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the motion. The magistrate judge recommends the motion be granted.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the records, pleadings and all available evidence. No objections to the Report and Recommendation were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. The defendants' motion for summary judgment is **GRANTED**. A final judgment will be entered dismissing this lawsuit.

So ORDERED and SIGNED this 25 day of January, 2007.

Ron Clark, United States District Judge

Rm Clark